

ONE MAROON 2003 HUMMER H2, VIN 5GRGN23U23H147578, NH REG. 1417B, REGISTERED TO MANCHESTER STREET AUTO SALES, AND SEIZED FROM MICHAEL ALBERT; AND NINE HUNDRED NINETY FOUR (\$994.00) DOLLARS IN UNITED STATES CURRENCY, MORE OR LESS, SEIZED FROM MICHAEL ALBERT

On April 1, 2005, the United States filed a Verified Complaint for Forfeiture in Rem, seeking the forfeiture of the above-named assets, One maroon 2003 Hummer H2, VIN 5GRGN23U23H147578, NH Reg. 1417B, Registered to Manchester Street Auto Sales, and seized from Michael Albert; and Nine Hundred Ninety Four (\$994.00) Dollars in United States Currency, More or Less, seized from Michael Albert, MA, based upon alleged violations of 21 U.S.C. §§ 881(a)(4) and (6). This Complaint, and Notice of Complaint were served on all known potential claimants, including Michael Albert. There are no other known claimants.

In view of information provided and developed during the discovery phase of this action in rem, the United States and claimant Michael Albert have reached an agreement which provides for the dismissal of the action in rem against One maroon 2003 Hummer H2, VIN 5GRGN23U23H147578, NH Reg. 1417B, Registered to Manchester Street Auto Sales, and seized from Michael Albert; and Nine Hundred Ninety Four (\$994.00) Dollars in United States Currency, More or Less, seized from Michael Albert, in consideration of Michael Albert's agreement to waive any claims against the United States, its officers, agents, employees, and any individuals or entities involved in the initiation and prosecution of the forfeiture case.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

(A) That the defendants in rem, One maroon 2003 Hummer H2, VIN 5GRGN23U23H147578, NH Reg. 1417B, Registered to Manchester Street Auto Sales, and seized from Michael Albert; and Nine Hundred Ninety Four (\$994.00) Dollars in United States Currency, More or Less, seized from Michael Albert, are hereby dismissed from this proceeding.

(B) That the parties shall bear their own costs and expenses of this proceeding, including attorney's fees, if any.

(C) That Claimant Michael Albert is forever barred from asserting any claims or demands, in law or equity, against the United States, its agents, employees or assigns, including but not limited to the United States Marshals Service, the Drug Enforcement Administration (DEA), or against the Loudon, New Hampshire Police Department, and any of their agents, employees or assigns, in connection with, or arising out of the civil judicial forfeiture action against One maroon 2003 Hummer H2, VIN 5GRGN23U23H147578, NH Reg. 1417B, Registered to Manchester Street Auto Sales, and seized from Michael Albert; and Nine Hundred Ninety Four (\$994.00) Dollars in United States Currency, More or Less, seized from Michael

Albert, including but not limited to any claim that the United States did not have probable cause to initiate and prosecute its forfeiture case against the defendants in rem, One maroon 2003 Hummer H2, VIN 5GRGN23U23H147578, NH Reg. 1417B, Registered to Manchester Street Auto Sales, and seized from Michael Albert; and Nine Hundred Ninety Four (\$994.00) Dollars in United States Currency, More or Less, seized from Michael Albert.

(D) Claimant Michael Albert will execute a hold harmless agreement to the United States Marshals Service ("USMS") at the time of the release to him of the defendant in rem One maroon 2003 Hummer H2, VIN 5GRGN23U23H147578, NH Reg. 1417B, Registered to Manchester Street Auto Sales, and seized from Michael Albert. Claimant Michael Albert will pay the USMS its transportation and storage costs associated with the defendant in rem One maroon 2003 Hummer H2, VIN 5GRGN23U23H147578, NH Reg. 1417B, Registered to Manchester Street Auto Sales, and seized from Michael Albert at the time of release.

The Clerk is hereby directed to send four certified copies of this order to the United States Marshals Service, a copy to the United States Attorney's Office, Attention: Assistant U.S. Attorney Robert J. Rabuck, and to opposing counsel of record.

Dated: November 2, 2005

/s/ Joseph A. DiClerico, Jr.
UNITED STATES DISTRICT JUDGE